

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Stephen A. Soltesz-Haughton
aka Stephen Alex Soltesz-Haughton, aka Stephen Haughton,
aka Stephen Soltesz
Joanna M. DeAngelis-Haughton
aka Joanna Marie DeAngelis-Haughton, aka Joanna Marie
DeAngelis
Debtor(s)

Bankruptcy Case No.: 16-24227-CMB
Issued Per Apr. 10, 2017 Proceeding
Chapter: 13
Docket No.: 61 - 16
Concil. Conf.: September 28, 2017 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 12, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 28, 2017 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The lump sum funding in the plan is an estimate; the plan base will be increased by the amount actually received by the Trustee. The secured claim of Harley-Davidson Credit Co. at Claim No. 3 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: April 20, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Stephen A. Soltesz-Haughton
 Joanna M. DeAngelis-Haughton
 Debtors

Case No. 16-24227-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 36

Date Rcvd: Apr 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 22, 2017.

db/jdb +Stephen A. Soltesz-Haughton, Joanna M. DeAngelis-Haughton, 120 Long Bridge Rd,
 Ligonier, PA 15658-3522
 cr Wells Fargo Bank, N.A./Wells Fargo Home Mortgage, MAC N9286-01Y, 1000 Blue Gentian Road,
 Eagan, MN 55121-7700
 14335808 AWA Collections, PO Box 6605, Orange, CA 92863-6605
 14335810 +CBCS Inc, 1225 N Main St, North Canton, OH 44720-1959
 14335812 ++COLLECTION SERVICE CENTER INC, 363 VANADIUM ROAD, STE 109, PITTSBURGH PA 15243-1477
 (address filed with court: Collection Service Center, 250 Mt Lebanon Blvd Ste 420,
 West Mifflin, PA 15122)
 14321315 Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285
 14321316 +Capital One, P.O. Box 30253, Salt Lake City, UT 84130-0253
 14321317 +Capital One Bank, PO Box 3115, Milwaukee, WI 53201-3115
 14321318 +Capital One Bank (USA), N.A., 4851 Cox Road, Glen Allen, VA 23060-6293
 14332081 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14321319 +Capital One Bank USA NA, PO Box 30281, Salt Lake City, UT 84130-0281
 14335811 +Citizens Bank, 1 Citizens Dr, Riverside, RI 02915-3000
 14335814 Deborah Corna, 1554 Darlington Rd, Ligonier, PA 15658-3521
 14383927 +Employment Rights Group, 100 First Avenue, Suite 650, Pittsburgh, PA 15222-1514
 14335815 ++FIFTH THIRD BANK, MD# ROPS05 BANKRUPTCY DEPT, 1850 EAST PARIS SE,
 GRAND RAPIDS MI 49546-6253
 (address filed with court: Fifth Third Bank, 5050 Kingsley Dr, MD# 1MOC2N,
 Cincinnati, OH 45263)
 14340737 +Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
 14337317 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
 14399295 +John R. Kardos, Jr., Esquire, 710 Fifth Avenue, Suite 2400, Pittsburgh, PA 15219-3000
 14325622 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14321321 +Smith Propane & Oil, 138 Pandora Road, Loyalhanna, PA 15661-9701
 14335835 +Southern Credit Adjusters Inc., 2420 Professional Dr #A, Rocky Mount, NC 27804-2253
 14335836 +Stellar Recovery, PO Box 57370, Jacksonville, FL 32241-7370
 14321322 +Wells Fargo, CSCL Dispute Team, MAC N8235-04M, PO Box 1, Des Moines, IA 50306-0001
 14389657 Wells Fargo Bank, N.A., PO Box 10438, Des Moines, IA 50306-0438
 14351814 Wells Fargo Bank, N.A., Default Document Processing, Mac# N9286-01Y,
 1000 Blue Gentian Road, Eagan, MN 55121-7700
 14321323 +Wells Fargo Financial National Bank, MAC# N8235-040, 7000 Vista Drive,
 West Des Moines, IA 50266-9310
 14335906 +Wells Fargo Financial National Bank, MAC 4031-080, 800 Walnut St,
 Des Moines, IA 50309-3605
 14335924 Wells Fargo Home Mortgage, P.O. Box 10335, Des Moines, IA 50306-0335
 14321324 +Wells Fargo National Bank, 800 Walnut St, Des Moines, IA 50309-3891
 14383924 +Williams & Connolly LLP, 725 Twelfth Street, N.W., Washington, DC 20005-5901

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14335809 +E-mail/Text: banko@berkscredit.com Apr 21 2017 01:10:47 Berks Credit & Collections,
 900 Corporate Dr, Reading, PA 19605-3340
 14321314 +E-mail/Text: kburkley@bernsteinlaw.com Apr 21 2017 01:11:50 Bernstein-Burkley, P.C.,
 Suite 2200 Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219-1908
 14335813 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Apr 21 2017 01:11:39
 Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
 14321320 +E-mail/Text: bankruptcy.notices@hdfsi.com Apr 21 2017 01:11:47 Harley-Davidson Credit Corp.,
 3850 Arrowhead Drive, Carson City, NV 89706-2016
 14335816 +E-mail/Text: bankruptcy@icsystem.com Apr 21 2017 01:11:44 I.C. Systems, Inc.,
 PO Box 64378, Saint Paul, MN 55164-0378
 14334707 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Apr 21 2017 01:11:05
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
 Harrisburg PA 17128-0946

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Harley-Davidson Credit Corp
 cr Wells Fargo Bank, NA
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-2

User: jhel
Form ID: 149

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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 20, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Harley-Davidson Credit Corp bkgroup@kmlawgroup.com
Jeremy J. Kobeski on behalf of Creditor Wells Fargo Bank, NA pawb@fedphe.com
Joseph A. Dessoye on behalf of Creditor Wells Fargo Bank, NA pawb@fedphe.com
Mark G. Moynihan on behalf of Debtor Stephen A. Soltesz-Haughton mark@moynihanlaw.net,
moynihan.mark@gmail.com
Mark G. Moynihan on behalf of Joint Debtor Joanna M. DeAngelis-Haughton mark@moynihanlaw.net,
moynihan.mark@gmail.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7